

DISPOSITION: January 10, 1945. The Consumers Mill Products Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was segregated and the unfit portion was converted into animal feed.

7575. Misbranding of sirup. U. S. v. 50 Cartons of Pancake Sirup. Consent decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 13853. Sample No. 81874-F.)

LABEL FILED: On or about October 4, 1944, District of Connecticut.

ALLEGED SHIPMENT: On or about August 16, 1944, by the Carmel Oil Co., Inc., from the Bronx, N. Y.

PRODUCT: 50 cartons, each containing 24 1-pint bottles, of sirup at Hartford, Conn.

LABEL, IN PART: (Bottles) "Carmel Brand Pancake Syrup Made From Pure Cane Sugar, & Pure Maple Flavor."

VIOLATIONS CHARGED: Misbranding, Section 403 (e) (2), the product was a food in package form, and it failed to bear a label containing an accurate statement of the quantity of the contents since the bottles contained less than "1 Pint," the volume declared; and, Section 403 (k), it contained artificial coloring and failed to bear labeling stating that fact.

DISPOSITION: December 4, 1944. The claimants having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered delivered to charitable institutions, after the labels had been removed.

7576. Misbranding of sirup. U. S. v. 107 Cases of Sirup. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 14691. Sample Nos. 68862-F, 69531-F.)

LABEL FILED: December 4, 1944, District of New Mexico.

ALLEGED SHIPMENT: On or about March 22, 1944, by T. J. Blackburn, Jefferson, Tex.

PRODUCT: 107 cases, each containing 6 jars, of sirup at Clovis, N. Mex.

LABEL, IN PART: "Home-Made Sugar Cane Syrup and Corn Syrup Blend."

VIOLATION CHARGED: Misbranding, Section 403 (e) (2), the product was a food in package form, and it failed to bear a label containing an accurate statement of the quantity of contents since the jars contained less than the weight declared on the labels: "1 Quart, 1 Pint, 10½ Fluid Ounces."

DISPOSITION: January 19, 1945. T. J. Blackburn Syrup Works, Jefferson, Tex., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

7577. Adulteration of brown sugar. U. S. v. 148 Bags of Brown Sugar. Default decree of condemnation and destruction. (F. D. C. No. 13942. Sample No. 68159-F.)

LABEL FILED: October 12, 1944, Northern District of Ohio.

ALLEGED SHIPMENT: On or about January 27, 1944, from Brooklyn, N. Y.

PRODUCT: 148 bags, each containing 25 pounds, of brown sugar at Cleveland, Ohio, in the possession of the Otis Terminal Warehouse Corporation.

This product had been stored, after shipment, under insanitary conditions. Some of the bags had been gnawed by rodents, and rodent excreta and urine stains were observed on the bags. Examination showed that the article had been contaminated with rodent urine, and that it contained rodent pellets.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 8, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that was adulterated in that it consisted in whole or in part of a filthy or decomposed substance, Nos. 7578 to 7580; that was below the standard for milk fat content, Nos. 7581 to 7587; and that was short of the declared weight, No. 7588.

7578. Adulteration of butter. U. S. v. 56 Cases of Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 15027. Sample Nos. 62355-F, 62356-F.)

LIBEL FILED: November 8, 1944, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about October 26, 1944, by the Jerpe Commission Co., Inc., from Fayetteville, Ark.

PRODUCT: 56 cases, each containing 32 1-pound cartons, of butter at New Orleans, La.

LABEL, IN PART: (Carton) "Clear Brook Creamery Butter Distributed by Wilson."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed animal substance.

DISPOSITION: January 17, 1945. The Jerpe Commission Company, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for refining into butter oil, under the supervision of the Food and Drug Administration.

7579. Adulteration of butter. U. S. v. 4 70-Pound Cubes of Butter. Default decree of condemnation. Product ordered sold. (F. D. C. No. 13870. Sample No. 61366-F.)

LIBEL FILED: On or about August 16, 1944, Southern District of Texas.

ALLEGED SHIPMENT: On or about July 8, 1944, by the Vinita Dairy Products Co., from Vinita, Okla.

PRODUCT: 4 70-pound cubes of butter, at Houston, Tex.

Examination showed that this product contained mold.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed animal substance.

DISPOSITION: October 17, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold on condition that it be denatured.

7580. Adulteration of butter. U. S. v. 134 Boxes (8,308 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond for refining into butter oil. (F. D. C. No. 14576. Sample No. 90721-F.)

LIBEL FILED: October 24, 1944, Western District of Kentucky.

ALLEGED SHIPMENT: On or about October 17, 1944, by the Sugar Creek Creamery Co., from Evansville, Ind.

PRODUCT: 134 boxes, each containing 62 pounds, of butter, at Louisville, Ky.

Examination disclosed that the product contained mold.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy, putrid, or decomposed substance.

DISPOSITION: November 29, 1944. The Sugar Creek Creamery Co., Danville, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for refining into butter oil, under the supervision of the Food and Drug Administration.

7581. Adulteration of butter. U. S. v. 50 Cartons (approximately 3,200 pounds) of Butter. Consent decree of condemnation. Product ordered released under bond for reworking. (F. D. C. No. 15099. Sample No. 5643-H.)

LIBEL FILED: January 16, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about January 2, 1945, by the Hartley Creamery, Hartley, Iowa.

PRODUCT: 50 cartons, each containing approximately 64 pounds, of butter at New York, N. Y.

LABEL, IN PART: "Butter Distributed by J. O. Marshall Draper-Valley Distributors, Inc. 503 New York, N. Y."